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NO. 81636-1

**SUPREME COURT
OF THE STATE OF WASHINGTON**

PAUL LAWSON,

Petitioner,

vs.

CITY OF PASCO, a municipal corporation,

Respondent.

**BRIEF OF
MANUFACTURED/MOBILE HOME OWNERS OF AMERICA**



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I. IDENTITY AND INTEREST OF AMICUS CURIAE

Manufactured/Mobile Home Owners of America (“MHOA”) is a trade association representing manufactured housing community (“community”) tenants. MHOA has 1,700 dues paying members representing some 2,000 community residents. MHOA has members who occupy recreational vehicles in communities that are primary residences. MHOA’s interests are the same as the 67,000 persons who live in communities in Washington. MHOA’s mission is to maintain communities as affordable housing.

II. STATEMENT OF THE CASE

MHOA acknowledges the statement of the case in the supplemental briefs, as well as the recitation of the facts in the Court of Appeals opinion.

III. ARGUMENT

A “mobile home park” or “manufactured housing community” is any real property rented for the placement of two or more mobile or manufactured homes. RCW 59.20.030(10). A recreational vehicle used as a primary residence is allowed in a community and is subject to the Manufactured/Mobile Home Landlord Tenant Act (“MHLTA”). RCW 59.20.030(14), (17); RCW 59.20.080 (3). Many communities rent mobile home lots to tenants occupying recreational vehicles as their primary residences. These tenants are an integral part of their community. Recreational vehicles are their homes. They may have lived in those homes for many years, where they perhaps are raising or have raised their

children. The tenants have no desire, or often the financial ability, to live anywhere else. Recreational vehicles in communities provide important affordable housing to Washington citizens creating stability and a neighborhood environment.

Recreational vehicle tenants must comply with the same requirements of the MHLTA, including the lot rental agreement, and the park rules, as do tenants occupying mobile and manufactured homes. Communities must meet the same local government ordinances, regardless of whether they do or do not have recreational vehicles.

The only possible alternatives if recreational vehicles are required to vacate communities or are denied entry to them, will be that these displaced tenants will have to find accommodations in recreational vehicle parks, which, depending on the jurisdiction, will generally only allow temporary residency. The neighborhood environment will be lost. Housing instability will be exacerbated. These recreational vehicle parks will be more expensive for these displaced persons because they charge on a daily, weekly, or monthly basis. It is highly unlikely that displaced recreational vehicle tenants will purchase land on which to locate their recreational vehicles since many of them are low income.

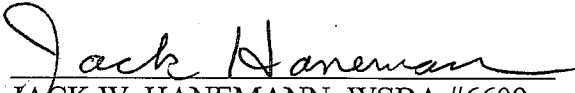
IV. CONCLUSION

The City of Pasco ordinance violates article XI, §11 of the Washington Constitution as the Legislature has occupied the field. The ordinance also

conflicts with the MHLTA.

The Court should reverse the Court of Appeals and reinstate the trial court's decision.

RESPECTFULLY SUBMITTED this 20th day of August, 2009.


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